



COURT NEWS

Chief Judge Barry Russell

2004

Jon D. Ceretto, Executive Officer/Clerk

eFILE CHAPTER 7 PETITIONS OPENED TO ALL ATTORNEYS DISTRICT-WIDE

The Court recently achieved a major milestone with its electronic filing system, *eFile*, which enables registered users to file documents from their computers via the Internet. On December 4, 2003, the Court began accepting chapter 7 petitions district-wide from all registered attorneys. This innovation makes a significant enhancement available to *eFile* users. Through December 31, 2003, a total of 773 petitions have been filed through *eFile*.

In addition to the newly opened chapter 7 petition module, the *eFile* program continues to provide registered users with the opportunity to file both Motions for Relief From the Automatic Stay and complaints electronically. Since inception of the *eFile* program, 3,018 Motions for Relief From the Automatic Stay have been filed through *eFile*, and 2,506 complaints have been filed electronically.

Using *eFile* continues to be a convenient way to file documents with the Court that saves the filer time and expense. Instructions for registering to use

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MAUREEN A. TIGHE APPOINTED AS BANKRUPTCY JUDGE



Chief Judge Barry Russell and
Judge Maureen A. Tighe

The Court is pleased to welcome its newest judge, Maureen A. Tighe. Judge Tighe began her fourteen-year term as a bankruptcy judge for the Central District of California on November 24, 2003, when Chief Judge Barry Russell administered the *Oath of a Bankruptcy Judge*

to her. Judge Tighe maintains her chambers in the Los Angeles Division.

Judge Tighe is well known to many bankruptcy practitioners in the Central District, as prior to her appointment to the bench, she served as the United States Trustee for Region 16 (Central District of California). Until becoming the United States Trustee in April 1998, Judge Tighe was an Assistant United States Attorney, in Los Angeles, California, from 1988 through March 1998. From 1986 to 1988, she was in private practice with Sullivan and Cromwell in New York City, and clerked for the Honorable Harold A. Ackerman, United States District Judge for the District of New Jersey from 1984 to 1986. Judge Tighe received both her undergraduate and juris doctorate degrees from Rutgers University, where she was editor-in-chief of the *Rutgers Law Review* from 1983 to 1984.

JUDGE ERITHE A. SMITH APPOINTED TO BAP

The Judicial Council of the Ninth Circuit has appointed Judge Erithe A. Smith to the United States Bankruptcy Appellate Panel (BAP) of the Ninth Circuit to fill the vacancy resulting from the expiration of Judge John E. Ryan's appointment on December 31, 2003. Judge Smith's seven year term on the BAP commenced on January 1, 2004. She maintains her chambers in the Los Angeles Division, and has served as a bankruptcy judge for the Central District since 1994. Judge Smith is the first African-American woman to be appointed as a bankruptcy judge in the Central District and also the first to be appointed to the BAP of the Ninth Circuit.



Judge Erithe A. Smith

eFILE CHAPTER 7 PETITIONS OPENED TO ALL ATTORNEYS DISTRICT-WIDE

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eFile and for filing documents through eFile are available at *Electronic Services* -> *eFile* -> *Procedures* section of the Court's web site, which is located at <www.cacb.uscourts.gov>. The online registration process takes only a few minutes to complete. The eFile Support Center is also available to assist you and may be reached at (213) 894-2365 from 9:00 a.m. - 4:00 p.m. Monday through Friday (excluding federal holidays). Take advantage of this easy to use electronic filing system and join attorneys who are already reaping the benefits of eFile.

DIGITAL COURT RECORDING SYSTEM IMPLEMENTATION BEGINS

The next time you order an audio recording of a Court hearing, you might receive it on a compact disc (CD) rather than a cassette tape. This is because the Court is replacing existing analog tape recording equipment with digital equipment in all courtrooms throughout the district. Digital recordings are stored on CDs for superior sound quality and clarity, convenient access, and long storage life. If the hearing was recorded digitally, the audio recording can be ordered in one of three formats depending upon the listener's preferences and whether the recording will be played on a personal computer or regular audio CD player. The fee for purchasing a reproduction of an audio recording has not changed with the new system, and remains \$26. Use of the new equipment began in the San Fernando Valley Division on December 8, 2003, and is expected to be implemented district-wide in early 2004. As divisions convert to the new system, a revised *Audio Recording Order Form* (formerly titled, *Tape Order Form*) and ordering information will be made available. The implementation of digital court recording demonstrates the Court's ever-expanding use of technology to enhance public service and Court operations.

PRIVACY POLICY TAKES EFFECT

Amendments to the Federal Rules of Bankruptcy Procedure (F.R.B.P.) and the Judicial Conference privacy policy took effect on December 1, 2003. Implementation of the policy has required revisions to many court forms and procedures, including the redaction of personal identifiers from documents filed with the Court **by the filer** (not the Court). Revised forms are available at *Procedures/Rules/Forms* -> *Court Forms* -> *Privacy Policy Forms - Effective December 1, 2003* from the Court's web site at <www.cacb.uscourts.gov>, and include the Voluntary Petition, Involuntary Petition, Schedules and Statements, and the Proof of Claim form. The new privacy policy versions of the forms **must be used**. Major privacy policy related changes include:

- **Amended F.R.B.P. 1007(f) requires a debtor to submit the *Statement of Social Security Number(s)* (new Official Form B21) containing his/her full nine-digit Social Security Number (SSN) with the petition.** Only the original form is to be submitted to the Court. "Blue backs" and copies are not required. Clip, rather than staple, the form to the petition.
- **The voluntary petition form** (Official Form B1) has been revised to contain only the **last four digits** of the debtor's SSN.
- **It is the filer's responsibility, not the Clerk's Office, to redact all personal identifiers.** If a document is filed that contains full personal identifiers, that information will become part of the case file, and as such will be available to the public.
- **When amending a debtor's SSN** with the Court, use the *Amended Schedule(s) and/or Statement(s)* form (Form B-1008), and submit the *Amended Statement of Social Security Number(s)* (Form B21A) to the Court. Both forms are available on the Court's web site at the Internet address above.
- **Attorneys who are using eFile to file chapter 7 petitions** should note that **the *Statement of Social Security Number(s)* is not to be included in the PDF file that is submitted to the Court.** The attorney for the debtor is required to maintain the executed original of this form.

SUN SETS ON CHAPTER 12

Chapter 12 of the Bankruptcy Code expired on January 1, 2004. The Senate passed legislation (S. 1920) to extend chapter 12 for six months, but the House of Representatives has not voted on bills that would provide a similar extension (H.R. 3540 and H.R. 3542). The expiration of chapter 12 does not affect pending chapter 12 cases or any matters/proceedings related to those cases.

PACER SYSTEM INTRODUCES "INSTANT REGISTRATION"

People are generally eager to get started using a new service or subscription immediately after registering for it. On January 5, 2004, the PACER Service Center made this possible with its new "instant registration" service. Prior to the implementation of "instant registration" the process of registering and receiving a password had taken up to two weeks. To register instantly, users will need to visit the PACER Service Center web site at www.pacer.psc.uscourts.gov and then click on the **Registration** icon.

After completing the online form, and providing a valid e-mail address and credit card information, an account will be established immediately. Users will then be able to view case information and document images. PACER is an inexpensive, fast, and comprehensive browser-based case information system that requires a computer and Internet access. Taking advantage of this new feature is now only a click away.

IMPROVED DESK REFERENCE MANUAL NOW AVAILABLE

The Court's *Desk Reference Manual* (DRM) has long been a good resource for information about the Court. The manual has recently been updated and reorganized to present more comprehensive information in an improved format. Many new topics and appendices were added, including a new Court Technology section containing information about the Court's electronic filing system (eFile). Video Conferencing, Hearing Information, Language/Sign Language Interpreters, and the Policy For Reopening a Case are also among the new topics. Although more information

is now included, the length of the manual was reduced by approximately 30%.

The DRM is available at *Publications -> Desk Reference Manual* on the Court's web site at www.cacb.uscourts.gov and is also available for purchase from the on-site copy service in each division. And, yes, the Internet version contains bookmarks to each topic in the DRM table of contents to help you find needed information quickly.

COURT BEGINS CREATING FILE FOLDER LABELS

As announced in the November - December 2003 issue of *Court News* and by public notice, the Court began maintaining only electronic files for chapter 7 no-asset cases filed on or after October 1, 2003. With this advancement, the Court no longer needs consecutively numbered file folders. Effective January 2004, the Court ceased purchasing pre-numbered file folders. Instead, the Court is using file folder label generating software to print color case numbers and bar code labels to create file folders as needed. This program is an efficient system that enables the Court to realize substantial cost savings, while still maintaining a high quality product.

COURT SEEKS COMMENTS ON LOCAL RULES REVISIONS

The public is encouraged to submit comments on proposed revisions and additions to the Court's Local Bankruptcy Rules. All comments must be made in writing and received by the Court no later than Tuesday, January 20, 2004. Comments should be mailed to:

Judge Peter H. Carroll
United States Bankruptcy Court
3420 Twelfth Street
Riverside, CA 92501

Additional information regarding the submission of comments may be found on the Court's web site, www.cacb.uscourts.gov at *Notices & Orders -> Public Notices -> Proposed Revisions and Additions to the Local Bankruptcy Rules*.

Court Statistics January - December 2003 vs. 2002

	2003	2002	% CHANGE
	TOTAL	TOTAL	02 VS 03
Case Filings:			
Chp. 7	65,234	69,939	-7%
Chp. 11	371	484	-23%
Chp. 13	10,086	13,686	-26%
Total	75,691	84,109	-10%
Complaints:			
Dischargeability	2,054	2,660	-23%
Recover Money/Property	3,712	2,650	40%
All Other	400	479	-16%
Total	6,166	5,789	7%
Motions:			
Personal Propety	6,346	6,828	-7%
Real Property	6,525	8,973	-27%
Unlawful Detainer	883	1,042	-15%
Other RFS	504	589	-14%
Dismiss	9,914	10,440	-5%
Dismiss/Convert	241	287	-16%
Fees, Employment, Expenses	11,196	11,860	-6%
Total	35,609	40,019	-11%

20 Largest and Other Cases of Interest Filed in the Last 24 Months						
	Debtor Name	Main Case Number	Date Filed	Chapter	Asset Level in Millions	Liability Level in Millions
Largest Cases (over \$100 M Assets)	Consolidated Freightways Corporation of Delaware	RS02-24284-MG	09/03/02	11	\$1,110	\$2,211
	Daewoo Motor America, Inc.	LA02-24411-BB	05/16/02	11	\$232	\$56
	USA Sogo Inc.	LA03-18660-SB	04/18/02	7	\$177	\$314
	Imperial Credit Industries, Inc.	LA03-28969-ES	07/17/03	11	\$169	\$291
	Vista Hospital Systems, Inc.	RS03-18901-DN	06/10/03	11	\$142	\$132
	Interdent Service Corporation	SA03-13594-JR	05/09/03	11	\$139	\$348
	Sun World International, Inc.	RS03-11370-DN	01/30/03	11	\$138	\$121
Cases of Interest*	Opal Concepts, Inc.	SA02-15441-JR	07/16/02	11	\$50-100	Over \$100
	OAN Services, Inc.	ND02-13720-RR	12/17/02	11	\$94	\$124
	Centis Inc.	SA02-15865-JB	07/31/02	11	\$55	\$940
	QualPro Corporation	SA02-19719-JB	12/18/02	11	\$47	\$218
	Parkview Community Hospital Medical Center	RS02-14989-DN	03/25/02	11	\$43	\$54
	Spectrum Restaurant Group, Inc.	SA03-15911-RA	08/06/03	11	\$39	\$107
	Power Lift, LLC	LA02-28533-BB	06/26/02	11	\$37	\$71
	Granada Hills Community Hospital	SV02-20579-AG	11/26/02	11	\$35	\$32
	Strouds Acquisition Corporation	LA03-23620-ER	05/20/03	11	\$27	\$36
	Lux Corporation d/b/a Mr. Rags	SA03-10697-JR	01/28/03	11	\$20	\$29
	Clothestime Stores, Inc.	SA03-14555-RA	06/13/03	11	\$15	\$49
	Athletes First, LLC	SA03-14549-RA	06/13/03	11	\$11	\$50
	Checkmate Staffing, Inc.	SA03-19318-JR	12/29/03	11	TBD	TBD

*Based on a combination of Asset and Liability Levels, Number of creditors, high activity, and/or name recognition.

Court News

is published by the United States Bankruptcy Court for the Central District of California as an informational service for the practitioners and public of our Court.

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Suggestions and comments are always welcome.
Please call (213) 894-3778 or e-mail us at <Kathleen_Crosser@cacb.uscourts.gov>.